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VIA US MAIL/FACSIMILE

Mr. Stephen Crow, Examiner
Commissioner for Patents
ART UNIT 332
Washington DC 20231

H. Albert Richardson
Direct Dial: 206.287.0066
Email: al.richardson@blacklaw.com

Re: Application No: 09/894803
Our Reference: TU2X-1-1029

Dear Mr. Crow:

In the most recent Office Action in this case dated September 12, 2002, you rejected claims 3-14 under 35 USC § 112, first paragraph, on the grounds that it was unclear from the specification as to how a field intensity can define the distance of the user and transmitter from the receiver.

I have enclosed copies of pages 265-267 from a text entitled *Applied Electromagnetics*. That information, along with the discussion in the specification beginning on page 3 at line 24, make it appear that this basic principle is well known and that it would be apparent to one of ordinary skill how to practice the claimed invention.

Our client wishes to file a CPA in this case and would like to resolve this issue beforehand if possible. Please review this information and call me at your earliest convenience so we may discuss it.

Very truly yours,

BLACK LOWE & GRAHAM PLLC

H. Albert Richardson

RECEIVED

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TECHNOLOGY CENTER R3700

Enclosure:

As noted.

Cc: Tapio Valkeiskangas, Esq. (via facsimile: 011.358.9.602.244 & international mail)